

1 ORDINANCE NO. 98-6

2 98 64 DEC 15 1998

3 ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS
4 OF PALM BEACH COUNTY, FLORIDA, AMENDING
5 ORDINANCE NO. 95-40, AS AMENDED, AS CODIFIED
6 IN SECTION 2-136 OF THE CODE OF LAWS AND
7 ORDINANCES RELATING TO PALM BEACH COUNTY
8 GOVERNMENT; ENTITLED THE PALM BEACH COUNTY
9 EMPLOYEE TUITION REFUND PROGRAM ORDINANCE;
10 PROVIDING FOR AN INCREASE IN THE MAXIMUM
11 REIMBURSABLE TUITION AMOUNT; PROVIDING FOR AN
12 INCREASE IN EMPLOYEE OBLIGATION; PROVIDING
13 FOR SAVINGS CLAUSE; PROVIDING FOR
14 APPLICABILITY; PROVIDING FOR SEVERABILITY;
15 PROVIDING FOR REPEAL OF LAWS IN CONFLICT; AND
PROVIDING FOR AN EFFECTIVE DATE.

16 WHEREAS, Section 125.01, Florida Statutes,
17 authorizes counties to provide for the health, welfare and
18 well-being of citizens of the County; and

19 WHEREAS, the Board of County Commissioners (Board)
20 has determined that it is in the public interest to provide
21 for the improved efficiency and productivity of County
22 employees; and

23 WHEREAS, the Board has previously enacted Ordinance
4 No. 72-6, as amended by Ordinance Nos. 75-2, 86-34, 89-25, 90-
5 44, and 95-40, as set forth in Section 2-136 of the Code of
6 Laws and Ordinances Relating to Palm Beach County Government,
7 which established the Palm Beach County Employee Tuition
Refund Program that provided for the reimbursement of certain
8 tuition costs for County employees for approved course work;
9 and

WHEREAS, the Board has determined that it will serve
the public interest of the County to continue the Employee
Tuition Refund Program with certain revisions to the Program;
and

WHEREAS, the Board wishes to enact an ordinance
amending the Code of Palm Beach County to provide for those
revisions.

1 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF
2 COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

3 SECTION I. Section 2-136, Palm Beach County
4 Employee Tuition Refund Ordinance, Subsection (b),
5 Qualifications and Limitations, is hereby amended to read as
6 follows:

7 All employees who take approved course work related
8 to their job, to career advancement or redirection within the
9 County organization or leading to a degree relating to their
10 job or to career advancement or redirection within the County
11 organization shall be entitled to a refund of their paid
12 tuition costs. The Tuition refund shall be paid upon the
13 satisfactory completion of approved course work. For graded
14 undergraduate courses, employees achieving a grade of "C" or
15 above shall receive a refund of one hundred (100) percent of
16 their paid tuition costs. For graded graduate courses,
17 employees achieving a grade of "B" or above shall receive a
18 refund of one hundred (100) percent of their paid tuition
19 costs. There will be no refund provided for course work
20 resulting in a grade below "C" for undergraduate courses and
21 below "B" for graduate courses or for credit courses taken on
22 a pass/fail basis. For ungraded courses, such as
23 correspondence courses, employees receiving a certificate of
24 completion or similar document shall receive a refund of one
25 hundred (100) percent of their paid tuition costs. Books,
26 materials and fees are not eligible for reimbursement under
27 this program. Except as provided in Section (f) herein, the
28 total annual amount of reimbursement by Palm Beach County will
29 not exceed One Thousand Two Hundred and Fifty Dollars

1 (\$1,250.00) for undergraduate courses or One Thousand Five
2 Hundred Dollars (\$1500.00) for graduate level courses per
3 fiscal year per employee. If an employee is eligible to
4 receive tuition refunds or similar funds or benefits through
5 the G.I. Bill or other similar program, policy or agreement
6 (hereinafter "other program"), the County will refund only
7 those tuition costs not funded by said other program, provided
8 the total amount paid to, or on behalf of, an employee (from
9 such other program(s) and from the County) does not exceed the
10 actual tuition cost, and further provided that the total
11 annual cost to the County will not exceed One Thousand Two
12 Hundred and Fifty Dollars (\$1250.00) for undergraduate courses
13 or One Thousand Five Hundred Dollars (\$1500.00) for graduate
14 level courses per fiscal year per employee. Course work shall
15 be defined as any course of study, training or education given
16 by an accredited educational institution which in the judgment
17 of the Director of Employee Relations and Personnel or his/her
18 designee relates to the employee's career field, career
19 advancement, or redirection with the County organization.

20 SECTION II. Section 2-136, Subsection (d), Employee
21 Obligation, is hereby amended to read:

22 (d) *Employee Obligation.* All employees receiving
23 reimbursement up to \$700.00 per fiscal year under this program
24 will be obligated to remain in the employ of the County for a
25 minimum of one (1) year following satisfactory completion of
26 the course work. Those employees receiving \$700.00 or more in
27 tuition refund within a fiscal year will be obligated to
28 remain in the employ of the County for a minimum of two (2)
29 years following satisfactory completion of the course work.

1 Employees resigning or discharged from the County service
2 prior to the expiration of the required period will reimburse
3 the County for any tuition refunds received. The County may
4 recoup the funds through deductions from the employee's final
5 paycheck(s) and/or through such other collection means as the
6 County elects to use. Employees who are discharged due to a
7 reduction in force or layoff will be not be required to
8 reimburse the County for tuition refunds received.

9 Prior to the tuition reimbursement of any employee
10 pursuant to this Ordinance, an employee shall have entered
11 into a contract whereby the employee agrees to the following:

12 (1) That said employee will remain in the employ
13 of the County for the period of time required
14 herein following completion of course work.

15 (2) That should said employee resign or be
16 discharged from County service prior to the
17 expiration of the required period, the
18 employee will reimburse the County for any
19 refund received.

20 (3) That the County is authorized to deduct
21 amounts equaling said reimbursements from the
22 employee's final paycheck(s) and/or to use
23 such other collection means as the County
24 elects.

25 (4) That if said employee is eligible to receive
26 tuition refunds or similar funds or benefits
27 through the G.I. Bill or other program, policy
28 or agreement (hereinafter "other program"),
29 the County will refund only those tuition

costs not funded by said other program, provided the total amount paid to or on behalf of an employer (from such other program(s) and from the County) does not exceed the actual tuition cost, and further provided that the total annual cost to the County will not exceed One Thousand Two Hundred and Fifty (\$1250.00) for undergraduate courses or One Thousand Five Hundred Dollars (\$1500.00) for graduate level courses per fiscal year per employee.

VII. Section 5, Procedure, is hereby amended to

(a) Application. Employees desiring to participate in the Tuition Refund Program shall submit to their department head one copy of the "Application for Tuition Refund" no later than five (5) days following the close of registration for the course. Department heads will review the application for approval or disapproval and, if approved affix their recommendation and forward the application to the Director of Employee Relations and Personnel or his/her designee, who will coordinate the program. If the department head does not approve, he/she shall forward the application to Employee Relations and Personnel or his/her designee for review.

(b) Review. All applications, whether or not recommended by the department head, will be reviewed by the Director of Employee Relations and Personnel or his/her designee, who shall be responsible for the final determination.

of approval and for notifying all applicants of the action taken.

(c) Reimbursement. All approved applicants will submit a request for reimbursement along with tuition receipts and official grade notifications to the Director of Employee Relations and Personnel or his/her designee no later than forty-five (45) days from receipt of grades or from completion of the course in the case of an ungraded course.

The Director of Employee Relations and Personnel or his/her designee will authorize payments under this program. Persons who are candidates for certificates or degrees must also submit a statement from their academic department chair, indicating the title of the degree or certificate sought and the field of specialization, if not already indicated on the official grade notice.

IX. AUTHORITY TO ESTABLISH RULES AND REGULATIONS

The County may establish rules, regulations and procedures to carry out the provisions of this Ordinance.

X. REPEAL OF LAWS IN CONFLICT

All local codes applying to the unincorporated area of Palm Beach County or parts of such Ordinances in conflict with any provisions of this Ordinance are hereby repealed to the extent of the conflict.

XI. SEVERABILITY

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

1 XII. INCLUSION IN THE CODE OF LAWS AND ORDINANCES

2 The provisions of this ordinance shall become and be
3 made a part of the code of laws and ordinances of Palm Beach
4 County, Florida. The Sections of the Ordinance may be
5 renumbered or relettered to accomplish such, and the word
6 "code" may be changed to "section," "article," or any other
7 appropriate word.

8 XIII. EFFECTIVE DATE

9 The provisions of this Ordinance shall become
10 effective upon filing with the Department of State.

11 APPROVED AND ADOPTED by the Board of County
12 Commissioners of Palm Beach County, Florida, this 15th day
13 of December, 1998.

14 DOROTHY H. WILKEN, CLERK

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY
COMMISSIONERS

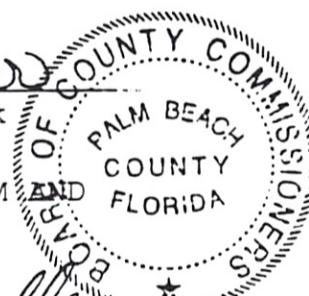
17 By: Debrah Dieter
18 Deputy Clerk

By: Maudie Ford Lee
Chairman

19 APPROVED AS TO FORM AND
20 LEGAL SUFFICIENCY

98 64 DEC 15 1998

21 By: Maureen Cullen
22 County Attorney



23 EFFECTIVE DATE: Filed with the Department of State
24 on the 22nd day of December, 1998.

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on 12/15/98
DATED at West Palm Beach, FL on 12/30/98.
DOROTHY H. WILKEN, Clerk
By: Bethie A. House D.C.